

Appl. No. 10/697,131

REMARKS/ARGUMENTS

Claims 1, 3, 5, and 8 stand rejected under 35 USC 102 as being anticipated by Huh et al. In light of the following remarks the rejection is respectfully traversed.

The Examiner relies upon FIG. 3 of Huh. In FIG. 3, the phase detectors 314 and 324 compare the reference frequency signal and the output of the modulus programmable divider 336. Referring to col. 4 lines 58 et seq., the modulus programmable divider 336 divides and output frequency signal Fout 322 of the VCO 330, alternatively by N and N+1, respectively, depending on the control signal 338 from the accumulator 340. The two divided VCO signals Fdiv1 (signal 310) and Fdiv2 (signal 312) serve as the second inputs to the phase detectors 314 and 324. Accordingly, the first phase detector 314 compares the phase of the reference frequency with the phase of the result of dividing the Fout signal by N while the second phase detector compares the phase of the reference frequency with the phase of the result of dividing the Fout signal by N+1. Referring to col. 5 lines 1 and 2, N is apparently equal to the number of charge pumps coupled to each phase detector.

Referring to the claims, the presently rejected claims require the comparison of two clock signals: an output clock signal and a returned clock signal. The examiner equates the frequency signal of Huh et al. with the claimed clock signal. However, the frequency signal of Huh et al. is noted as being typically used in modern wireless communication systems to produce a desired output frequency in both the receiver and transmitter. See col. 1 lines 17-19. This would seem to describe a different type of signal than the claimed clock signal. However, accepting the Examiner's correlation for the sole purpose of argument, there still exists significant differences between the circuit of Huh et al. and the present invention.

Huh et al. fails to show or suggest a "obtaining a returned clock signal." A returned clock signal is the clock signal as returned from a destination circuit. Looking at claims 2 and 3, the returned clock signal may be obtained as a signal

Appl. No. 10/697,131

reflected on the transmission line or as returned on a signal line (the return line) matched to the transmission line.

Claim 6 stands rejected under 35 USC 103 as being obvious in view of Huh et al. in view of Koike. Claim 6 depends from claim 5 (and in turn claim 1) discussed hereinabove. Nothing in Koike addresses the defects noted in Huh et al. noted herein above. Accordingly, the rejection of claim 6 cannot stand and withdrawal thereof is respectfully requested.

In accordance with the foregoing it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance, such action being earnestly solicited.

If the Examiner has any remaining informalities to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such informalities.

Appl. No. 10/697,131

If any further fees are required in connection with the filing of this Amendment, please charge same to our Deposit Account No. 50-1078.

Respectfully submitted,
AGILENT TECHNOLOGIES

Date: September 17, 2004

AGILENT TECHNOLOGIES
Legal Department, DL 429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

By: 

Gerald P. Joyce III
Registration No. 37,648
(978) 681-2405

I hereby certify that this correspondence is being facsimile
Transmitted to the Patent and Trademark Office of the date
Shown below.

Date of facsimile: September 17, 2004

Typed Name: Gerald P. Joyce III

Signature: 